

REMARKS

Claims 1 - 13 are pending in the present application.

This Amendment is in response to the Office Action mailed August 20, 2007. In the Office Action, the Examiner rejected claims 1 - 8 under 35 U.S.C. § 102(b).

Applicant has amended claims 1, 3, 5, and 7, and added claims 9 - 13.

Rejection Under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1 - 8 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,467,211 issued to Smith et al. Applicant respectfully traverses the rejections for the following reasons.

Smith et al. does not disclose, suggest, or render obvious an apparatus comprising a drawing controller for applying an electron beam on a substrate to draw a plurality of circles, configured for deflecting the electron beam in a rotational radial direction of the substrate and in a rotational tangential direction of the substrate opposite to a rotational direction of the substrate, upon performing drawing transition from one circle to another circle, as recited in the present claims.

Smith et al. discloses a method and apparatus for exposing multi-level registered patterns interchangeably between stations of a multi-station electron beam array lithography system. The Examiner relies on Fig. 8A to support his rejection, however, Fig. 8A in Smith et al. teaches the exposure of five and six inch semiconductor wafers using three-inch diameter array optics lens by employing four successive 90 degree rotations of the five or six inch wafer in order to expose each quadrant in succession (col. 15, line 54 to col. 16, line 2). The multi-

exposure, quadrant by quadrant process is necessary to cover the entire area of the five and six inch wafers when using the smaller three-inch lens in the lithography system.

To support a 102 rejection, the Examiner must show that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bro. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987), (MPEP §2131). In addition, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), (MPEP §2131). Here the Examiner has not established that the Smith et al. reference teaches the Applicant's invention as recited in the present claims.

Since Smith et al. does not disclose the identical invention as is recited in the pending claims, the applicant respectfully requests that rejection under 35 U.S.C. §102(b) be withdrawn.

Power of Attorney

The applicant respectfully requests correction of the Power of Attorney for the present application. A Power of Attorney was filed on February 1, 2007 (enclosed herein). Although the correspondence address has been updated pursuant to the Power of Attorney, the attorneys of record has not been updated to reflect the attorneys of record reflected in the Power of Attorney of February 1, 2007. Also, enclosed herein is a copy of the case status from PAIR showing the previous attorneys of record.

CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,

PIONEER NORTH AMERICA, INC.

Dated: December 18, 2007



Steve A. Wong, Esq.
Reg. No. 37,968

PIONEER NORTH AMERICA, INC.
INTELLECTUAL PROPERTY DEPARTMENT
2265 E. 220th Street
Long Beach, CA 90810
(310) 952-3300

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Application Number	10/593,476
Filing Date	9/20/2006
First Named Inventor	KOJIMA, Yoshiaki
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	PC 3218.01 US

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number: 52737
☒ Please change the correspondence address for the above-identified application to:

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Customer Number:

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I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature

X Kenichiro Yasukawa

Name

Kenichiro Yasukawa

Date

Jan 30, 2007

Telephone

81-3-3495-4704

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DISCOVISION

Page 01



February 1, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Application No. 10/693,476
Filed: 9/26/2006
Inventor: Yoshiaki Kojima
Docket No.: PC 3218.01 US

Dear Sir:

Enclosed for filing are the following documents:

1. Revocation of Power of Attorney with New Power of Attorney;
2. Statement Under 37 CFR 3.73(b);
3. Cover Letter with Document Control No. BMP6DC;
4. Certificate of Facsimile dated February 1, 2007.

Please acknowledge receipt of this transmittal.

Very truly yours,

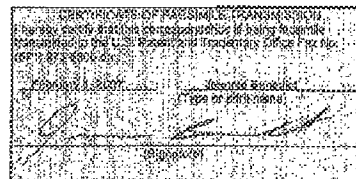
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Steve A. Wong
Managing Patent Attorney
INTELLECTUAL PROPERTY DEVELOPMENT

SAW:jb

Enclosures

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Correspondence Address

Name: DVA/PEC-IPD
 Address: 2265 E. 220TH STREET
 LONG BEACH CA 90810
 Customer Number: 52737

Attorney/Agent Information

Reg #	Name	Phone
36769	Cooperrider, Frederick	703-761-4100
58115	DiPaula, Donald	703-836-6400
41933	Lecher, Donald	877-474-0850
56032	Lin, Jeoyuh	202-588-5614
34386	McGinn, Sean	703-761-4100
46060	Miller, Phillip	703-761-4100
60929	Monday, Christopher	703-761-7621
59403	Shir, Farhad	703-777-8195
48317	Tulino, Scott	703-876-1856

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